

POLICY AND PROCEDURE RETURN TO WORK PROGRAM CITY OF TAYLORVILLE

PURPOSE

The City of Taylorville is concerned about the well being of its employees. The Return to Work Program is intended for those employees recovering from a medically documented illness or injury sustained on the job. If such illness or injury precludes an employee from performing the essential function of his/her position, the City will make an effort to provide modified work assignments. The modified work assignments shall be consistent with the individual's physical and mental capabilities during the recuperation period, as determined by the employees treating physician and/or the City's physician. The Return to Work Program attempts to utilize the City's financial and human resources in the most effective manner by assisting employees who have a medically documented illness or injury to return to their jobs as quickly as medically feasible consistent with the needs of the City.

PARAMETERS

The City will attempt to find modified work for employee(s) who are recovering from a medically documented illness or injury sustained on the job consistent with the parameters set forth below. The modified work assignment shall be consistent with the employee's physical and mental capabilities and will be such that the City will derive benefit from it.

The City may, at any time, with appropriate advance notification to the employee and when the need for such an opinion exists, either preliminarily and/or subsequent to the assignment of modified duty, and/or where the City believes a need exists to determine fitness for regular or modified duty; require an employee to submit medical documentation and/or to submit to an examination by a physician selected by the City, provided that the City pays the cost associated with such required medical examination with a City physician.

If **no** modified duty work is available and the injury and/or illness, that precludes the employee from performing his regular duties, is **work-related**, the employee shall be off work on family medical leave, if applicable, and/or if entitled to workers compensation benefits, shall receive such benefits, subject to compliance with the directives of the City and third party administrator. In the event that a modified duty assignment becomes available, the employee is expected to accept the assignment as described in employee responsibilities F and G.

Work consistent with temporary work restrictions may be assigned, to the employee for up to ninety (90) calendar days or until the employee is capable of returning to full duty, whichever occurs first, provided there is a reasonable expectation that the employee will be able to resume full duties within or by ninety (90) calendar days of the beginning of modified duty and subject to work, beneficial to the City, being available.

The temporary modified duty assignment requires the written approval of the appropriate Superintendent and/or Chief, subsequent to review with the Human Resource Manager, who also serves as the Loss Control Coordinator.

NOTE: Part-time employees with temporary modified duty restrictions may be assigned provided there is a reasonable expectation that the employee will be able to resume full duties within a reasonable time period and subject to work, beneficial to the City, being available. The temporary modified duty assignment requires the written approval of the appropriate Superintendent and/or Chief, subsequent to review with the Human Resource Manager.

In the event an employee's regular department cannot provide work compatible with the temporary work restrictions, an employee may be assigned, by the Human Resource Manager, after written approval of the Mayor, to another department, subject to the provisions of the applicable collective bargaining agreement. The salary of an employee on temporary modified work assignment to another department shall be borne by the employee's regular department. The employee shall receive the same wages prior to the modified duty assignment provided the employee is working the same number of hours.

Nothing herein requires the City to create or maintain a modified work assignment. Employees will be assigned modified work assignments when the City determines the need exists and only as long as the need exists.

Employees, who fail to comply with the terms of this policy, are subject to discipline in accordance with the applicable collective bargaining agreement. In addition, if the employee refuses a modified duty assignment, the employee **could** lose TTD benefits from the City's third party worker's compensation administrator.

RESPONSIBILITIES

The Employee is responsible for:

A. Providing the Human Resource Manager and appropriate Superintendent and/or Chief with the treating physician's release. The employee is also responsible for providing the Human Resource Manager and appropriate Superintendent and/or Chief with ongoing work status reports from the treating physician. Such reports shall include, at minimum, physical abilities, work restrictions, prognosis and anticipated return to work status.

B. Discussing related information regarding time off and/or restriction status with the appropriate Superintendent or Chief and Human Resource Manager.

C. Obtaining additional information from the treating physician, as necessary and requested by the Human Resource Manager.

D. Consulting with the Human Resource Manager regarding related personnel policies.

E. Submitting to an examination by a physician selected by the City.

F. Accepting a temporary modified work assignment consistent with the employee's work restrictions even if the temporary work assignment is in another department, subject to the provisions of the applicable collective bargaining agreement. If the assignment is in a department other than the employee's regular department, the employee's hours may be modified to be consistent with the department to which he/she is assigned for the temporary assignment.

G. If no modified work assignment is available, checking in at least weekly, with the Human

Resource Manager to determine if modified work is or has become available. The Human Resource Manager shall also notify the employee if modified duty becomes available in the period between the required weekly check in. In this case, the employee must accept the temporary work assignment as described in AND F.

H. Immediately notifying the Human Resource Manager upon receiving a physicians release to return to full duty and supply a copy to the appropriate Superintendent and/or Chief.

The appropriate Superintendent and/or Chief is responsible for:

A. Notifying the Human Resource Manager **immediately** of employee work restrictions as well as the physician's release.

B. If available, providing temporary modified duty within the department upon receipt of the employee's capabilities and restrictions and completing written approval documentation (Attachment A). If there is no modified work available, the appropriate Superintendent and/or Chief is responsible for documenting why an assignment is not available (complete Attachment A) and notifying the Human Resource Manager immediately so temporary assignment in another City department, if possible, may be secured. **Attachment A shall be provided to the Human Resource Manager for documentation purposes.**

C. Paying the employees wages from the departmental budget during a modified work assignment, even if an employee is temporarily assigned to another department during the modified work period.

D. If a department provides temporary modified work for an employee of another department, ensuring that the work provided is consistent with the specified capabilities and restrictions.

E. Notifying the Human Resource Manager immediately in the event the department employee has exhausted modified work assignment availability.

F. Keeping the Human Resource Manager informed of potential new developments, of which he/she may not be aware, with an employee's status or condition.

The Human Resource Manager is responsible for:

A. Oversight and assessment of program effectiveness as he/she also serves as the Loss Control Coordinator for the City of Taylorville.

B. Establishing program direction, e.g., is the liaison between the appropriate Superintendent(s) and/or Chief(s) in the event that modified work is not available within the employees department and/or a department has exhausted the availability of modified work. In this case, the Human Resource Manager shall attempt to find modified work elsewhere in the City, subject to provisions of the applicable collective bargaining agreement, and shall secure written approval from the Mayor prior to assigning an employee to a department other than the regular department in order to fulfill the modified duty assignment.

C. Report at least annually to the Safety Committee about the effectiveness of the program.

D. Report at least annually to the members of the Personnel Committee about the

effectiveness of this program.

E. In the absence of the Human Resource Manager, the City Clerk shall fulfill these responsibilities.

This policy is intended to operate in conjunction and coordinate with an employee right to family medical leave. If an employee with a qualifying condition and appropriate medical certification requests family medical leave, it shall be granted in accordance with the Family Medical Leave Act and City policy. Further, consistent with the Family Medical Leave Act and City policy, the City may place an employee on family medical leave.

Modified work is intended for employees with temporary injuries and/or illness, and will be provided only if there is a reasonable expectation that the employee can resume his/her regular duties within the designated time. It is not intended to be used as permanent reasonable accommodation under the Americans with Disabilities Act.

NO TEMPORARY WORK ASSIGNMENT DESCRIBED OR COVERED UNDER THIS GUIDELINE IS INTENDED OR OFFERED AS A PERMANENT ASSIGNMENT.

City Council Passed 9-18-06

Attachment A

RETURN TO WORK PROGRAM NOTICE OF MODIFIED WORK ASSIGNMENT

PART I

Date _____ Employee Name _____
Employee Position _____
Department _____

Describe work capabilities and restrictions as determined by the employees and/or City's treating physician:
(Attach copy of restrictions requested)

Can the modified duty assignment be fulfilled within the employees regular department?

YES

NO

If YES, please list duties the employee will be performing, scheduling, and date modified work duty assignment is available and anticipated length of modified work availability:

If NO, please list, with detail, the reason the department cannot provide modified work consistent with the work restrictions as indicated:

If the department is currently unable to provide modified work consistent with the work restrictions now, is there a date on which the department can or MIGHT be able to provide modified work consistent with the restrictions? If so when and what duties that will be performed?

Has the employee refused a temporary modified work assignment or otherwise failed to cooperate with the department or City?

YES

NO

If YES, explain:

Date

Superintendent Signature

PART II

FOR HUMAN RESOURCE USE:		
Date _____		
AVAILABILITY IN OTHER DEPARTMENTS:		AVAILABILITY
DATE _____		
AIRPORT _____	HBO _____	SEWER _____
CEMETERY _____	LAKE _____	STREET _____
CLERK _____	MUNICIPAL BLDG. _____	WATER _____
MAYOR _____	POLICE _____	TREASURER _____
FIRE _____		

If employees regular department was unable to provide the modified duty consistent with the employee's restrictions, name the department that is able, if any, to provide modified duty consistent with the restrictions. Please list the modified work to be performed, the department that such work is to be performed and the date such work will be available and the hours the employee will be required to work.

Date

Human Resource Manager

I have reviewed the need for a modified duty assignment and approve the temporary assignment of the employee to another department as stated above in order to provide a modified duty assignment consistent with the employees work restrictions.

Date

Mayors Signature